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Lorain County, Ohio
Judith M Nedwick County Recorder

File **2017-0616392**

AN AMENDMENT TO THE

DECLARATION OF CONDOMINIUM OWNERSHIP

OF

LEGACY POINTE

NO. 6 CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF
CONDOMINIUM OWNERSHIP FOR LEGACY POINTE NO. 6 CONDOMINIUM
RECORDED AT INSTRUMENT NO. 2008-0253446 OF THE LORAIN COUNTY
RECORDS ON MAY 14, 2008.

AN AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
LEGACY POINTE
NO.6 CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Legacy Pointe No. 6 Condominium (the Declaration) and the Bylaws of Legacy Pointe No. 6 Condominium Unit Owners' Association, Inc. (the Bylaws), Exhibit 12 to the Declaration, were recorded at Lorain County Records Instrument No. 2008-0253446, and

WHEREAS, Legacy Pointe No. 6 Condominium Unit Owners' Association, Inc. (the Association) is a corporation consisting of all Unit Owners in Legacy Pointe No. 6 Condominium and as such is the representative of all Unit Owners, and

WHEREAS, Article XX, Section 20.02 of said Declaration authorizes amendments to the Declaration and Bylaws Article VIII authorizes amendments to the Bylaws, and

WHEREAS, Unit Owners representing at least 75% of the Association voting power at the time of the vote, based on ownership interest have executed instruments in writing setting forth specifically the matter to be modified, (the Amendment), and

WHEREAS, the Association has in its records the signed, written consents to the Amendment signed by Unit Owners representing 75% of the Association's voting power as of November 10, 2015, and

WHEREAS, attached hereto as Exhibit A is an Affidavit of the Association's President that copies of the Amendment will be mailed by certified mail or hand delivered to all first mortgagee on the records of the Association once the Amendment is recorded with the Lorain County Recorder's Office, and

WHEREAS, attached hereto as Exhibit B is a certification from the Association's Secretary as to the consenting mortgagees, on the records of the Association, to the Amendment, and

WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Legacy Pointe No. 6 is hereby amended by the following:

AMENDMENT

DELETE DECLARATION ARTICLE IV, SECTION 4.02 (q) in its entirety. Said deletion to be taken from Page 11 of the Declaration as recorded at Lorain County Records, Instrument No. 2008-0253446.

INSERT a new DECLARATION ARTICLE IV, SECTION 4.02 (q). Said new addition, to be added on Page 11 of the Declaration, as recorded at Lorain County Records, Instrument No. 2008-0253446, is as follows:

4.02 (q) Any unenclosed parking area(s) (being those parking areas other than the parking spaces in the garages) shall ONLY be used for the PERIODIC parking of automobiles and not for the parking of any other kind of vehicle.

No boats, campers, mobile homes, trailers, trucks of any kind, or recreational vehicles shall be parked or stored either on any street or driveway within the Condominium Property or otherwise outside of any Unit or any unenclosed parking area. No vehicle shall impede or block sidewalks or roadways due to length of vehicle.

The foregoing parking and storage restrictions shall not apply to the parking of commercial vehicles of vendors who are performing services to any Unit or other improvement in or to the Condominium Property.

Any vehicle, other than an automobile periodically parked as permitted herein, or other item occupying such a space may be removed and or stored at the sole expense of the Unit Owner who shall have caused or permitted an improper use of said unenclosed parking area.

IN WITNESS WHEREOF, the said Legacy Pointe No. 6 Condominium Unit Owners' Association, Inc. has caused the execution of this instrument this 24th day of January, 2017.

LEGACY POINTE NO. 6 CONDOMINIUM UNIT

OWNERS' ASSOCIATION, INC.

By: R. Emmett Moran
R. Emmett Moran, its President

By: Sandy Garrett
Sandy Garrett, its Secretary

STATE OF OHIO

COUNTY OF LORAIN

SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Legacy Pointe No. 6 Condominium Unit Owners' Association, Inc, by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, on Page 3 of 6, and that the same is the free act and deed of said corporation and the free act and deed of each of them personally and as such officers.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in Avon Lake, Ohio, this 24th day of Janaury, 2017.

Jill M. Walsh
NOTARY PUBLIC



This instrument prepared by:
R. Emmett Moran
Attorney at Law
800 Westpoint Parkway
Suite 1000
Westlake, Ohio 44145
216-916-7730

EXHIBIT A

AFFIDAVIT

STATE OF OHIO)
)
)
COUNTY OF LORAIN)

SS

R. Emmett Moran, being first duly sworn, states as follows:

1. He is the duly elected and acting President of the Legacy Pointe No. 6 Condominium Unit Owners' Association, Inc.
2. He caused copies of the Amendment to the Declaration to be mailed by certified mail or hand delivered to all first mortgagees having bona fide liens of record against any Unit Ownership of whose mortgage interests notice had been given to the Association
3. Further affiany sayeth naught.

R. Emmett Moran, President

R. Emmett Moran, President

BEFORE ME, a Notary Public, in and for said county, personally appeared the above named R. Emmett Moran who acknowledges that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in Avon Lake, Ohio this 24th day of January, 2017.

Jul M Walsh

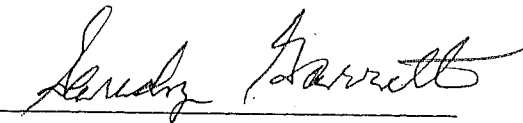
NOTARY PUBLIC



EXHIBIT B

CERTIFICATION OF SECRETARY

The undersigned, being the duly elected and qualified Secretary of the Legacy Pointe No. 6 Condominium Unit Owners' Association, Inc., hereby certifies that there is on file in the Association's records, the names of all mortgagees who have consented to the proposed Amendment to the Declaration.


Sandy Garrett, Secretary

STATE OF OHIO)
)
)
COUNTY OF LORAIN)

SS

BEFORE ME, a Notary Public in and for said County, personally appeared the above named Sandy Garrett who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY, I have hereunto set my hand and official seal in Avon Lake, Ohio this 24th day of January, 2017.


NOTARY PUBLIC

